

03C0

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH
THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-
CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON



July 19, 2001
Nora Stein-Fernandez
AGENT/ATTORNEY FOR APPLICANT
July 19, 2001
DATE

Attorney Docket No.: P30958C2-D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Farina, et al.
Serial No.: 09/867,133
Int'l Filing Date: May 29, 2001
For: QUINOLINE DERIVATIVES

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

Sir:

This letter is in response to the "Notice of Omitted Item(s) in a NonProvisional Application Filed under 35 U.S.C. 1.53(b)" mailed on June 20, 2001 which indicated that pages 57 and 85 of the specification were missing. A copy of the Notice is enclosed.

We are enclosing pages 57 and 58 (since there isn't an actual numbered page 85). Along with those pages, we are also enclosing page 4 of the claims which would be page 85 if numbered consecutively. These pages were unintentionally omitted from the specification when copied.

Please charge the \$130.00 surcharge for late filing of the fully executed declaration and charge any additional requisite fees or credit any over-payment to Deposit Account No. 19-2570. A copy of this form is enclosed.

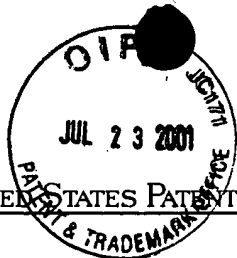
Respectfully submitted,

Nora Stein-Fernandez
Nora Stein-Fernandez
Attorney for Applicants
Registration No. 36,689

12/04/2001 TV0111 00000003 192570 09867133
01 FC:122 130.00 CH

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5044
Facsimile (610) 270-5090
n:\nsfpatapps\P30958C2-D1\omitteditem.doc

09867133-072301



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/867,133	05/29/2001	Carlo Farina	P30958C2-D1

CONFIRMATION NO. 9517

FORMALITIES LETTER



OC000000006207125

GLAXOSMITHKLINE
Corporate Intellectual Property - UW2220
P. O. Box 1539
King of Prussia, PA 19406-0939

Date Mailed: 06/20/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) **57 and 85** of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

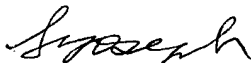
II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution

of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Ex.	Elemental analysis	IR (KBr); cm ⁻¹	MS (EI; source 200°C; 70 eV; 200 µA)	300 MHz ¹ H NMR (DMSO), 303 K
64	Calcd. C, 81.94; H, 6.05; N, 7.64 Found C, 82.02; H, 6.07; N, 7.60	3220; 1640; 1590; 1545	366 (M+); 351; 248; 232; 204	9.01 (s br, 1H); 8.34 (dd, 2H); 8.15 (s, 1H); 8.13 (d, 1H); 8.01 (d, 1H); 7.81 (dd, 1H); 7.66-7.52 (m, 6H); 7.39 (dd, 2H); 7.25 (dd, 1H).
65	Calcd. C, 82.07; H, 6.36; N, 7.36 Found C, 82.15; H, 6.36; N, 7.41	3320; 1640; 1590; 1530	380 (M+); 351; 232; 204	9.20 (d, 1H); 8.29 (dd, 2H); 8.14 (d, 1H); 8.06 (s, 1H); 8.03 (d, 1H); 7.81 (dd, 1H); 7.64-7.50 (m, 4H); 7.34 (d, 2H); 7.19 (d, 2H); 5.00 (dt, 1H); 2.30 (s, 3H); 1.93-1.73 (m, 2H); 0.98 (t, 3H).
66	Calcd. C, 71.68; H, 4.97; N, 10.90 Found C, 70.42; H, 4.99; N, 10.56	3360; 3240; 1750; 1630; 1600; 1560	385 (M+); 326; 221; 193	11.20 (s br, 1H); 9.65 (d, 1H); 8.05 (d, 1H); 7.93 (d, 1H); 7.78 (s, 1H); 7.70 (dd, 1H); 7.67 (m, 1H); 7.55-7.34 (m, 6H); 6.87 (m, 1H); 6.80 (m, 1H); 6.77 (d, 1H); 3.75 (s, 3H).
67	Calcd. C, 64.53; H, 3.90; N, 6.02; Cl, 15.24 Found C, 64.59; H, 3.95; N, 5.94; Cl, 15.03	3200; 1755; 1635; 1590; 1535	464 (M+); 405; 300; 272; 237	9.70 (d, 1H); 8.55 (d, 1H); 8.30 (dd, 1H); 8.22 (d, 1H); 8.21 (s, 1H); 8.17 (d, 1H); 7.86 (dd, 1H); 7.84 (d, 1H); 7.70 (dd, 1H); 7.54 (dd, 2H); 7.47-7.36 (m, 3H); 5.78 (d, 1H); 3.74 (s, 3H).
68		3300; 1635; 1590; 1530; 1495; 770	338; 337; 255; 233; 232; 204	9.18 (d br, 1H); 8.35 (d, 2H); 8.20 (s, 1H); 8.13 (d, 1H); 8.07 (d, 1H); 7.81 (dd, 1H); 7.63-7.51 (m, 4H); 7.44 (d, 2H); 7.38 (dd, 2H); 7.28 (dd, 1H); 5.08 (dt br, 1H); 2.89 (d, 2H); 1.60 (s br, 2H).
69	Calcd. C, 78.71; H, 6.08; N, 11.01 Found C, 78.45; H, 6.10; N, 10.96	3490; 3380; 3260; 1630; 1600	381 (M+); 352; 247; 219; 218	9.20 (d, 1H); 7.87 (m, 1H); 7.70 (d, 2H); 7.59-7.26 (m, 1H); 5.08 (dt, 1H); 4.80 (s br, 2H); 2.81 (dq, 2H); 0.95 (t, 3H).

Ex.	Elemental analysis	IR (KBr); cm ⁻¹	MS (EI; source 200°C; 70 eV; 200 µA)	300 MHz ¹ H NMR (DMSO), 303 K
70	Calcd. C, 74.90; H, 5.28; N, 6.99; Cl, 8.84 Found C, 74.88; H, 5.25; N, 6.98; Cl, 8.92	3230; 1640; 1550	400 (M+); 371; 266; 238; 203	9.37 (d, 1H); 8.10 (d, 1H); 7.85 (dd, 1H); 7.75-7.35 (m, 12H); 5.07 (dt, 1H); 1.80 (dq, 2H); 0.98 (t, 3H).
71	Calcd. C, 67.42; H, 4.75; N, 6.29; Br, 17.94 Found C, 67.57; H, 4.80; N, 6.31; Br, 18.00	3240; 1640; 1545	444/446 (M+); 415/417; 310/312; 203	9.35 (d, 1H); 8.10 (d, 1H); 7.85 (dd br, 1H); 7.70-7.30 (m, 12H); 5.05 (dt, 1H); 1.81 (dq, 2H); 0.99 (t, 3H).
72	Calcd. C, 82.07; H, 6.36; N, 7.36 Found C, 82.00; H, 6.36; N, 7.33	3240; 1630; 1590; 1545	381 (MH)+; TSP, ammonium acetate (50 mM)/acetonitrile 60 : 40 as eluent; source 250 °C	9.24 (d, 1H); 8.29 (d, 2H); 8.14 (d, 1H); 8.01 (s, 1H); 7.96 (d, 1H); 7.81 (dd, 1H); 7.64-7.51 (m, 4H); 7.47-7.36 (m, 4H); 7.29 (dd, 1H); 4.90 (dd, 1H); 2.19-2.02 (m, 1H); 1.08 (d, 3H); 0.80 (d, 3H).
73	Calcd. C, 81.94; H, 6.05; N, 7.64 Found C, 79.33; H, 5.82; N, 7.34	3320; 1635; 1590; 1535	366 (M+); 337; 232; 204	9.24 (d, 1H); 8.30 (d, 2H); 8.14 (d, 1H); 8.09 (s, 1H); 8.02 (d, 1H); 7.82 (dd, 1H); 7.63-7.51 (m, 4H); 7.46 (d, 2H); 7.38 (dd, 2H); 7.24 (dd, 1H); 5.14 (dt, 1H); 1.95-1.78 (m, 2H); 0.98 (t, 3H).
74	Calcd. C, 81.94; H, 6.05; N, 7.64 Found C, 82.08; H, 6.09; N, 7.59	3280; 1637; 1590; 1540	366 (M+); 337; 232; 204	9.24 (d, 1H); 8.30 (d, 2H); 8.14 (d, 1H); 8.09 (s, 1H); 8.02 (d, 1H); 7.82 (dd, 1H); 7.63-7.51 (m, 4H); 7.46 (d, 2H); 7.38 (dd, 2H); 7.24 (dd, 1H); 5.14 (dt, 1H); 1.95-1.78 (m, 2H); 0.98 (t, 3H).
75	Calcd. C, 72.45; H, 4.62; N, 6.76 Found C, 72.28; H, 4.59; N, 6.79	3280; 1740; 1650; 1630; 1550	414 (M+); 355; 250; 222	9.75 (d, 1H); 8.28 (dd, 2H); 8.21 (dd, 1H); 8.2 (s, 1H); 7.95 (dd, 1H); 7.77 (ddd, 1H); 7.61-7.50 (m, 5H); 7.47-7.36 (m, 3H); 5.80 (d, 1H); 3.74 (s, 3H).

